

Before the Joint Committee on Housing 2/28/22

Re: H.B. No 5208 - Housing Opportunities For Justice-impacted Persons

I OPPOSE H.B. No 5208

Hello,

My name is Oz Pariser and I am a full time landlord in Hartford, East Hartford, and New Britain. I have been serving my community by providing safe and affordable housing for years. I oppose H.B. No 5208 for the following reasons:

This Bill will create the new protected class of “criminal conviction status” to be subjected to discrimination laws. It’s overly complicated denial of rental application rules will lead to frivolous law suits at best or Landlords not screening for convictions at all and placing someone in a community who will endanger residents. This Bill will add to the cost of housing by delaying rental applicants, and dramatically increasing legal expenses to landlords. CCOPO understands the need to support the formerly incarcerated. Any proposed policies should not punish landlords who take reasonable steps and act in good faith to protect other innocent tenants, their families, and communities. The cost of legal fees in evictions and defending discrimination actions involving landlords is particularly burdensome to small and medium landlords and should be considered when addressing this issue.

#1 Lookback period should be 10 years for a covered felony or misdemeanor, starting from the date of release from confinement. Since we cannot see into the hearts of formerly incarcerated persons, evidence of good behavior after release is the only criteria, we as landlords can assess and is critical to protecting many innocent young and or disabled existing tenants. Without the ability to see patterns of behavior the public safety will be at risk.

#2 The Opportunity to present mitigating information should not delay the application process for housing. A complex system of approving or denying an applicant will only extend the process. Time is the commodity we sell and delay to the process can be a substantial burden to small /midsize landlords. The formerly incarcerated can include a letter with the submission of any application if they so wish.

#3 Existing HUD guidelines already require that each landlord examine any applicant as a whole by not automatically discarding such applicants with a misdemeanor or a felony on their record. All though this bill mirrors the HUD guidelines closely, leaving a vague definition of what crimes are considered a danger to the health, safety and welfare of others and what crimes are not, is an invite for lawsuits against landlords. So we would ask for:#4

#4 A rebuttable presumption that landlords are “acting in good faith” when making rental decisions on an individual basis. The standard of evidence for claims brought in administrative proceedings and litigation should require “clear and convincing evidence” versus the present standard of merely a “preponderance of evidence.” This standard is needed to protect landlords who act in good faith from unnecessary lawsuits. A “carrot” for landlords will go farther than more threats of legal action. Without the clear and convincing evidence standard of a landlord’s intentional discrimination in violation of this proposed statute, landlords will be exposed to a highly subjective standard that encourages unfettered legal claims which are costly and unfairly difficult to defend.

#5 Any landlord who rents to a formerly incarcerated person should be immune from any civil liability or injury arising from subsequent criminal act of such person.

Thank you for your time, please feel free to contact me for more information.

Oz Pariser
1131-O Tolland Tpke #158
Manchester, CT 06042
860-869-2211